

**TOWN OF ELSMERE
SPECIAL COUNCIL MEETING MINUTES
JUNE 2, 2012
COUNCIL CHAMBERS
6:30 p.m.**

CALL TO ORDER: Mayor Deborah A. Norkavage called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

MAYOR	DEBORAH A. NORKAVAGE	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	STEVEN BURG	PRESENT
3 RD DISTRICT	ROBERT KACPERSKI	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	RICHARD MOORE	PRESENT
Town Solicitor, Edward McNally – Absent		
Town Manager, John Giles – Present		
Chief of Police, Laura Giles – Present		

Ron Russo, Finance Committee – Present
Amy Olga, Finance Committee – Absent
Paul Chalfant, Treasurer - Absent

PUBLIC COMMENT:

APPROVAL OF MINUTES:

None

OLD BUSINESS:

Town Manager John Giles explained the new contract that he has been able to negotiate with Waste Management a new 5 year contract which includes the collection that is already included as well as including the 30 yard roll off dumpster at the Public Works Shop, saving the Town \$19,000 per year. In addition the contract now includes a written commitment for the annual clean up day.

ACTION: A motion was made by Councilman Jaremchuk to enter into an agreement with Waste Management for Solid Waste Collection based upon the contract negotiations. The motion was seconded by Mayor Norkavage.

VOTE: 7-0 All-in-favor Motion carried

Consideration of accepting offers extended to the Town a line of credit from a list of banking institutions contacted by the Town.

Town Manager John Giles stated that we have contacted a number of banking institutions and had only received official paperwork from M & T Bank. We received a number of verbal agreements from Applied Bank and WSFS Bank. He stated that the M & T Bank agreement has a variable interest rate which he would rather see locked in, however, it is a short term loan.

Councilman Jaremchuk commented that they are unable to consider any proposals other than the proposal submitted by M & T Bank because that is the only proposal Council received.

Town Manager John Giles stated that the banking institutions were notified of the date of the meeting and were asked to submit their proposals in time and the only proposal received was from M & T Bank. He stated he would like to have the official papers drawn up with a resolution for official approval at the June 14, 2012 Council Meeting.

ACTION: A motion was made by Councilman Jaremchuk to have an agreement with M & T Bank for a line of credit in the amount of \$250,000.00 drawn up for the June 14, 2012 Council Meeting. The motion was seconded by Councilman McKewen.

VOTE: 5-2 Motion carried

1st District – Yes, 2nd District – No, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – Yes, Mayor – Yes

NEW BUSINESS:

Consideration of awarding a contract for the services specified in RFP 12-09 for Town Wide Landscaping Services.

ACTION: A motion was made by Councilman Jaremchuk to award RFP 12-09 to Paoli Services in the amount of \$45,750.00. The motion was seconded by Councilman Burg.

Councilman Jaremchuk stated that while there is a difference of \$750.00 between the two bids he believes that the bid should be awarded to Paoli Services because there have been very few problems during the contract as well as the advantage of not having to train a new enterprise in the areas which require cutting.

Town Manager John Giles stated that he feels that the proposed contract from Paoli Services is very fair, it is only \$1200.00 more than their current contract. The new proposal includes the new dog park, the right of ways along Kirkwood Hwy and makes them responsible for maintaining the playground mulch in all of the parks. He also expressed concern regarding End Zone and their current man power and ability to fulfill the contract proposal.

VOTE: 7-0 All-in-favor Motion carried

Consideration of Resolution 12-04

Town Manager John Giles explained that the Charter requires the Town to adopt a property assessment role every year, the assessment has been received from New Castle County and he believes that this is the most cost efficient way to handle this requirement because the Town could pay a property assessment firm to create a list or adopt the counties assessment roll without spending any money.

ACTION: A motion was made by Councilman Jaremchuk to adopt Resolution 12-04. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-favor Motion carried

Consideration, Review and Adoption of the FY 2012-2013 Annual Revenue, Operating and Capital Budgets.

Town Manager John Giles presented the changes submitted by the staff after the May 10, 2012 Council Meeting. In addition, he presented the proposal including the new Future Planning Budget.

Parks and Recreation Department

Councilman Burg stated that he is uncomfortable discussing increased taxes to property owners when we have cut services to the Town by cutting the events schedule.

Town Manager John Giles stated that he believes that we should look into getting the budget back under control before bringing these events back into the picture. He stated that he supports the events but he believes that if we are raising taxes we should show an effort to cuts costs as well.

ACTION: A motion was made by Councilman Jaremchuk restore the Movies-in-the-Parks line item to \$3,000.00 for scaled back movie events. The motion was seconded by Councilman Burg.

VOTE: 5-2 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – No, Mayor – Yes

ACTION: A motion was made by Councilman Jaremchuk to restore the Holiday Tree Lighting line item to \$1,000.00 for the annual holiday event. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-favor Motion carried

Administration Department

ACTION: A motion was made by Councilwoman Personti to eliminate the position of Assistant Town Manager. The motion was seconded by Councilman Jaremchuk.

Councilman Jaremchuk stated that he believes that the position of Administrative Assistant to the Town Manager should be authorized.

Councilwoman Personti stated that she was intending to do that but thought that it needed to be done in two motions.

AMENDMENT: A motion was made by Councilwoman Personti to amend her previous motion by eliminating the position of Assistant Town Manager and authorize the position of Administrative Assistant. The motion was seconded by Councilman Jaremchuk.

Town Manager John Giles asked why the Council felt that the position could be eliminated.

Councilwoman Personti stated that the position has only been approved for a year and was created for an employee who they felt had the knowledge and experience in the Town to do well in the position.

Councilman Jaremchuk stated that when the position had been established he voted for the creation of the position because of the employee who was proposed to fill the position and that he felt the employee deserved the position and had done many great things for the Town and was worthy of the position. He does not feel that there are any qualified employees who currently fill that description and that he feels that Council can always revisit the situation again down the road should an employee qualify and deserve such a position.

Councilman Burg asked if the proposed position would allow an employee to supervise other employees in the Town Manager's Absence.

Town Manager John Giles stated that the position in question does not allow authority to supervise other employees.

Councilman Burg asked about creating a position "Manager of Operations".

Councilwoman Personti stated she feels that the Administrative Assistant to the Town Manager would fill the requirements of having an additional to do the same type of general office assistance.

ACTION: A motion was made by Councilwoman Personti to go into executive session and to return to the public. The motion was seconded by Councilman Burg.

VOTE: 7-0 All-in-favor Motion carried

At this time there was an executive session.

At this time the meeting returned to public session.

RESTATED MOTION: A motion was made by Councilwoman Personti to eliminate funding the position of Assistant Town Manager but to fund the position of Administrative Assistant to the Town Manager. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in-favor Motion carried

Code Enforcement

Mayor Norkavage asked about the reduced revenue for Building Permits.

Town Manager John Giles stated that these are more accurate to year to date numbers.

Finance Director Joseph Schulcz stated that the current income is about \$15,000.00 plus \$7,700 for the BIU Billed portion of the permit fees.

ACTION: A motion was made by Councilman Burg to increase the Building Permit Revenue Line Item to \$20,000.00. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in-favor Motion carried

Councilman Burg asked about Code Violations year to date.

Heather Herold stated that the current income is \$10,900.00.

Finance

Councilman Jaremchuk asked about the cost of the Audit.

Town Manager John Giles stated that this is the final year of the contract and this cost reflects that in the contract.

Councilman Burg asked what the current income for Transfer Tax is.

Finance Director Joseph Schulcz stated \$103,000.00.

Councilman Burg asked if the proposed income could be increase because of the elimination of the First Time Homebuyers Program.

Town Manager John Giles stated that he feels more comfortable leaving the amount where it is because property sales are unpredictable.

Councilman Kacperski asked why the salary line only increased by \$800.00.

Town Manager John Giles stated that the proposed amount was based on a 3% increase for all personnel in the department.

Public Safety

Councilman Jaremchuk asked why the budget for Seasonal Officers remains the same even though there are now 3 officers.

Chief Laura Giles stated that there is one officer who is trying to obtain a full time position and she is hoping to have their knowledge passed along to a new officer prior to that occurring.

At this time a lengthy discussion occurred regarding authorizing 4 Seasonal Officers for an even shift because two officers are on at any given time and to keep all officer's on the street. It was discussed to increase the line item to reflect true costs as well as increasing the authorized number from 3 to 4 beginning May & June of 2013 and keeping the officers on until October 30, 2012.

ACTION: A motion was made by Councilman Burg to increase the Seasonal Salary from \$9,300 to \$17,600.00. The motion was seconded by Mayor Norkavage.

VOTE: 7-0 All-in-favor Motion carried

Mayor Norkavage asked about why the salary increased but the payroll taxes decreases.

Finance Director Joseph Schulcz stated that he believes the taxes were over budget the previous year.

Mayor Norkavage asked about why the Health Insurance decreased even though there is an additional officer.

Chief Laura Giles stated that the difference is because the officer that was replaced by the two officers was taking an employee/child plan and the two new officers are taking employee only plans.

Public Works

Councilman Burg asked about the decrease in salary.

Town Manager John Giles stated that an employee with longer service left and was replaced.

Councilman Burg asked about potentially increasing the vehicle maintenance budget.

Town Manager John Giles stated that he was comfortable leaving the budget where it was as long as the Capital Budget is approved by the council. He stated that he also plans to put the current \$10,000.00 bill for maintenance to the street sweeper to MSA since it is an allowable expense.

Public Works Sanitation

It was discussed with the approval of the Waste Management Contract there is no additional discussion for this department.

Parks and Recreations

Mayor Norkavage asked if the proposed landscape maintenance budget includes the increase.

Town Manager John Giles stated that it does.

Councilman Burg asked if the Park Maintenance Budget had been reduced to reflect the change of mulch being provided under landscape maintenance.

Town Manager John Giles stated that he did not change that amount because there are projects that have not been completed in the parks because of the necessity to purchase mulch, the new landscape contract will allow those projects to be completed within the existing budgeted amount with no increase or decrease.

Councilwoman Personti asked if the state has completed the mosquito treatment yet.

Crew Chief Mark Marconi stated that he has seen DNREC in the wetland areas, however, they do not regularly confirm when the project has been completed.

Capital Budget

Town Manager John Giles stated that he has cut the computer software programs from the capital budget for the current time. He stated that it is still his priority to get the off-site storage of documents, however, he would like to get more information regarding the systems and see if there are not other companies in the area who offer the same packages. He also stated that he included the iPads per the council's request and that he whole heartedly supports the iPads because of the continuity of running Town business and the capability to stay in contact with council at a quicker rate.

Councilwoman Personti stated that while she agrees that this would be fantastic she believes that this should be looked at later down the road and that the Town should get it finances back in order first.

ACTION: A motion was made by Councilman Jaremchuk approve the capital purchase of the iPads in the capital budget. The motion was seconded by Councilman Burg.

VOTE: 4-3 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – No, 4th District – Yes,
5th District – No, 6th District – No, Mayor – Yes

ACTION: A motion was made by Mayor Norkavage approve the Administration Departments Capital Budget in the amount of \$13,799.00 for the FY 2012-2013 budget year. The motion was seconded by Councilman Jaremchuk.

VOTE: 6-1 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – Yes, Mayor – Yes

Councilwoman Personiti stated that she voted against the capital budget because it includes an item that she voted against.

ACTION: A motion was made by Councilman Jaremchuk to approve the remaining balance of the Proposed Capital Budget which includes Public Works and Public Safety. The motion was seconded by Councilman Burg.

VOTE: 6-1 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – Yes, Mayor – Yes

ACTION: A motion was made by Councilman Jaremchuk to approve the FY 2012-2013 Proposed Budget as amended. The motion was seconded by Mayor Norkavage.

VOTE: 6-1 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – Yes, Mayor – Yes

Consideration of Resolution 12-05

Councilman Jaremchuk amended Resolution 12-05 to indicate that the base tax would be \$430.00 per unit on both residential and commercial properties.

ACTION: A motion was made by Councilman Jaremchuk to approve Resolution 12-05 with a tax increase of \$155.00 per unit and to decrease budget items 16, 17, 18 and 19 by the prorated amount. The motion was seconded by Councilman Moore.

VOTE: 5-2 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – No, 4th District – Yes,
5th District – No, 6th District – Yes, Mayor – Yes

DEPARTMENTAL REPORTS:

None

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

District 1 – None

District 2 – Councilman Burg gave an overview of his efforts to collect funds for the July 7th Independence Day Event. He stated that he has been able to secure several of the previous items for a reduced amount and was able to reduce the number of staff required for the event significantly and only need about 3 employees for this event. Also all food will be done by vendors who will provide a portion of their profits to the Town, with the exception of the Fire Department's Ladies Auxillary. He also stated that he was very happy with the Budget that the Council approved and that for the first time there is a budget for the future which is very important.

District 3 – Councilman Kacperski recommended that the Mayor and Council appoint Mr. Steve Barone to the Pension Committee in the place of Mr. Robert Nally. Mr Barone would be appointed as a citizen in accordance with Section 1-(iii) of Resolution 12-01 Revised. If appointed Mr. Barone's Appointment would expire June 2, 2014.

ACTION: A motion was made by Councilman Kacperski appoint Mr. Steve Barone to the Pension Committee The motion was seconded by Councilman Jaremchuk.

Councilman Jaremchuk asked why Mr. Nally was unable to serve.

Town Manager John Giles stated that during Mr. Nally's first nomination it was discussed that he no longer resided in the Town. Mr. Nally was then contacted and stated that he did in fact still reside in the Town and he was then appointed to the committee during the May 10, 2012 Council Meeting. When he appointment letter was mailed it was returned with an expired forwarding to Wilmington, when contact Mr. Nally stated that he was in fact moving and would not be able to serve.

VOTE: 7-0 All-in-favor Motion carried

District 4 – None

District 5 – Councilwoman Personti thanked all of the employees for all of their work and stated that she was very pleased that the proposed budget did not include any cuts in employee salaries and that the staff is very important to the Town.

District 6 – None

Mayor – None

PUBLIC COMMENT:

Skip Boulden asked about the iPads which were approved for the Mayor and Council, he stated that he was against there purchase, however, he feels that since they are being purchased there should be a stipulation that they can only be used for Town business and not for personal use.

ADJOURNMENT:

ACTION: A motion was made by Councilwoman Personti to adjourn. The motion was seconded by Councilman Kacperski.

VOTE: 7-0 All-in-Favor Motion carried

These minutes summarize agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tapes may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

DEBORAH A. NORKAVAGE
MAYOR

JOANN I. PERSONTI
SECRETARY